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Attorney Docket No.: 101961-5144-US01 Client Ref. No.: 7953.204-US

(NEO00295US)

Dated:

08/03/2009

Signed:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DeFrees et al.

Application No.: 10/576,506

Filed: April 18, 2006

For: Glycopegylated Factor IX

Customer No.: 43850

Confirmation Number: 6231

Examiner:

HA, Julie

Art Unit:

1654

LETTER TO EXAMINER AND STATEMENT OF

**RELATEDNESS** 

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In view of *Dayco Products Inc. v. Total Containment Inc.*, 66 USPQ2d 1801 (Fed. Cir. 2003) and *McKesson Information Solutions Inc. v. Bridge Medical Inc.*, 82 USPQ2d 1865 (Fed. Cir. 2007) and in satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and as required by M.P.E.P. § 2001.06(b), Applicants note that the present application is related to the following pending patent applications:

11/982,444, 11/657,441, 12/496,595, 10/411,026, 11/652,467, 11/656,643, 11/645,839, 11/644,014, 10/411,044, 12/101,389, 11/714,874, 11/584,743, 10/530,972, 11/701,949, 10/556,094, 10/549,528, 10/565,331, 10/549,445, 10/585,385, 11/843,588, 11/144,223, 10/579,621, 11/981,483, 11/982,273, 12/184,956, 11/166,404, 10/579,620, 11/794,560, 10/581,538, 10/586,166, 11/794,555, 11/792,610, 11/632,005, 11/659,942, 11/665,908, 12/092,563, 11/396,215, 11/440,839, 11/914,104, 11/402,105, 11/910,958, 11/915,239, 11/580,669, 12/064,012, 12/152,587, 11/781,885, 11/781,888, 11/781,896,

11/781,900, 11/781,902, 11/866,969, 11/934,700, 12/444,380, 12/418,530, 11/867,553, 12/443,428, 10/497,284, 11/658,218, 12/201,705.

The Examiner is encouraged to review the art made of record, any Office Action, and any Notice of Allowance in the above-mentioned related application. Applicants assume that due to the ease of review on PAIR by the Examiner, Applicant need not submit copies of the individual Office Actions and/or Notices of Allowance. Applicants assume that the Examiner is aware that prosecution is ongoing in the above-referenced case, and that the Examiner will continue to evaluate this case as needed.

However, further in view of *Larson Mfg. Co. v. Aluminart Products Ltd.* No. 2008-1096, -1174(Fed. Cir. March 18, 2009), courtesy copies of the Office Actions received by applicants and/or their representatives as of the date of submission of this document in the abovementioned copending applications and other related applications are attached.

Applicant believes that <u>no fee is required</u> for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 50-0310. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

07/27/2009

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